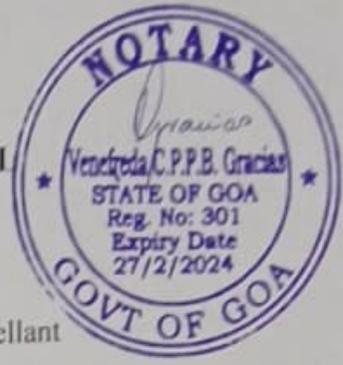


BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH PUNE AT PUNE

Original Application No. 51/2023 (WZ)



KULDEEP RANA

...Appellant

Vs.

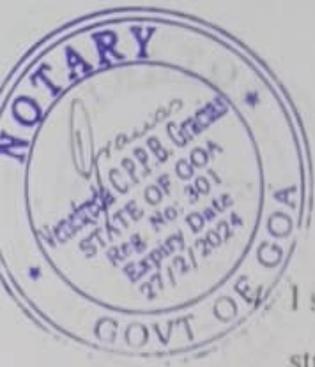
GCZMA and Ors.

...Respondents

AFFIDAVIT

I, SHRI JOHNSON BEDY FERNANDES, adult, Occupation – Service, the Member Secretary of the Respondent No. 1, having office at Dempo Tower, 4<sup>th</sup> floor, Patto, Panaji, Goa, do take oath and state on solemn affirmation as under:

1. I say and submit that I have gone through the records of the present matter and after going through the relevant office records I am filing the present Affidavit. However, I should not be deemed to admit anything which is contrary to or inconsistent with what is stated hereinafter in the absence of specific denial.
2. I say that the Expert Member of the GCZMA along with Engineer and the Field Surveyor had conducted a Site inspection of the property bearing Sy No 63/1-A, 63/1 and 63/1-B of Arambol Village.
3. I say that the Inspecting team inspected the site on 23/08/2023 and noted various violations for which a report was prepared along with photographs and plan. (Enclosed copy of the report annexed as "ANNEXURE A")



I say that the inspecting team at the time of inspection noted that the structures standing on site are at a distance of within 200 mts from the HTL (Enclosed copy of the report annexed as "ANNEXURE B")

- 5. I say that the Authority has taken cognizance of the violations and issued Show Cause Notice to the Violators. (Enclosed Copy of the Show Cause Notice issued
  - (i) To Cyril Philip Mendonca, marked as "ANNEXURE C")
  - (ii) To Mr. Mathew Rodrigues, Treeza Rodrigues, Carmin Rodrigues, Russell Rodrigues, Sheryl Rodrigues, Alex Rodrigues, marked as "ANNEXURE D")
  - (iii) To Johnny D'Souza, marked as "ANNEXURE E")
  
- 6) I say that this Show Cause Notice was taken up in various GCZMA Meetings. At the hearing before the GCZMA the violators have filed their written arguments and the matter is posted for oral arguments on 04/01/2024 at 3.30p.m.
  
- 7) I say that the Hon'ble Court may kindly permit the Authority two weeks time to place before the Hon'ble National Green Tribunal the final orders in the matter.

Solemnly affirmed on this 03<sup>rd</sup> day of January 2024.

Solemnly Affirmed Before Me by  
Johnson Body Fernandes  
Who is identified before me by

SHRI JOHNSON BODY FERNANDES  
Member S

*J. Body*  
31/1/24

at Catangulis - Goa  
Sr No. 03/01/2024  
Date: 03/01/2024

*Venefreda*  
Venefreda C.P.P.B. Gracias  
Advocate & Notary  
Bardez Goa



**SITE INSPECTION REPORT**

As per Direction from the Hon'ble National Green Tribunal,(WZ),Pune Original Application No. 51/2023(WZ) Earlier O.A. No.534/2022(PB) LP & Notice of Site Inspection Ref No. GCZMA/NGT-Matter/O.Appl.No.534/2022/22-23/18/1315 Dated: 17/08/2023. Upon instruction from the Member Secretary, GCZMA site inspection was carried out by Mrs Radha Rao, Expert Member,GCZMA with Miss Bhargavi Kelkar, Engineer o/o GCZMA & ,Mr.Balkrishna Surlakar, F.S. o/o GCZMA along with DSLR Field Surveyor's Inspected the Site on 23/08/2023 at 11.00 a.m.

The Following Parties were present at time of Inspection:-

1) Mr.Johny D'Souza...Respondent

At the Time of site Inspection Complainant i.e. Mr.Kuldeep Rana remained absent

**OBSERVATION AT LOCO**

At the time of Site Inspection it was observed as under:-

1. The Site in question is located at Girkarwad, Arambol Village of Pernem Taluka with property bearing Sy.no.63/1-A.
2. As per latest online Form I and XIV Records the following names are recorded in occupant's Column which are shown in Tabular column below

SR.NO.	SY.NO./SUB-DIV	NAME OF OCCUPANT AS PER FORM 1 AND 14	AREA AS PER FOR 1 AND 14
1	63/1-A	Johny Santan D'Souza	666.00 Sq.mts

3. The detail measurements of structures were carried out using measuring tape in Sy.No.63/1-A of Arambol Village of Pernem Taluka by DSLR field Surveyor's.

4. The detail of the structure as shown in the below tabular column:-

Sr.no.	Sy.no. / Sub.div.	Name & Type of structure	Details of structure	Approx. Area of structures in Sq.Mts
1	63/1-A	A (Ground Floor Structure)	Laterite masonry wall structures having permanent plinth covered with Mangalore tile roofing. The structure is depicted	Area of Structure as per Form I and XIV records :111.00 Sq.mts Area of Structure on Site: 60.59 Sq.mts.

*no*

*Bellkar*

*lll*

	63/1-A		on DSLR Survey Plan however on site it was observed that part of the Structure is in dilapidated condition.	
2	63/1-A	B (Ground Floor Structure)	Partly constructed with laterite stone masonry wall and Partly with brick masonry wall constructed on permanent plinth covered with Mangalore tile roofing is in dilapidated condition.  The Structure 'B' is attached to Structure 'A' and further partly attached to southern side of Boundary wall.	<b>21.02 Sq.mts</b>
3		C (Ground Floor Structure)	The Ground floor R.C.C. Structure constructed on Permanent Plinth partly RCC Roof Slab & partly with Mangalore tile roofing & Covered with Laterite stone masonry walls & Cement Mortar plaster.	<b>123.58 Sq.mts</b>
4		Tank (T1 & T2)	The Tank (T1 & T2) above & below ground with RCC covering with manhole opening attached to Structure 'C' from North-East & Southern Side Respectively.	<b>T1- 8.35 Sq.mts</b> <b>T2- 6.01 Sq.mts</b>

5. The Property is bounded with L.S.M wall from North-Sy.no.63/1, South-Sy.no.63/2, and East-River & West-Sy.no.64/0 respectively.
6. At loco on south-west side of property bearing Sy.no.63/1-A there exist a circular open well which is depicting on DSLR survey plan.

*(Signature)*

*Belkar*

*(Signature)*

7. During the Course of inspection it was observed that in Sy.no.63/1 abutting on northern side of Sy.no.63/1-A there are structures that have been constructed.
8. In Sy.no.63/1-B abutting on Northern Side of Sy.no.63/1 structures are observed.
9. The Brief Details of Structures standing/Constructed in Sy.no.63/1 & Sy.No.63/1-B are Shown in tabular column:-

SR.NO.	SY.NO. / SUBDIV	OBSERVATION ON SITE	Annexure/Site photographs
1	63/1	a) G+2 RCC Structure, b) Swimming Pool c) shed with Mangalore tile roofing d) Structure with L.S.M wall covered with RCC slab e) well. f) The property is compounded with L.S.M wall from all side.	Annexure-II
2	63/1-B	a) G+2 RCC Structure b) 1 no's well c) 2 no's permanent plinth/base. d) The property is compounded with L.S.M wall from all sides.	Annexure-III

10. At time of inspection the representatives of respective properties i.e.Sy.no.63/1 & 63/1-B did not permit the GCZMA team & DSLR field Surveyor's to carry out the mapping. However structures on site were observed and photographs of same were taken.
11. Site inspection Photographs Enclosed  
(Annexure I -Photos of structures in Sy.no.63/1-A)  
(Annexure II-Photos of structures in Sy.no.63/1)  
(Annexure III-Photos of structures in Sy.no.63/1-B).

### Conclusion and Recommendation

1. The Site in question i.e. Sy.no.63/1-A,63/1 & 63/1-B of Arambol Village of Pernem Taluka falls within 0 to 200 m in NDZ (CRZ-III) and also affected by 50m mangrove buffer CRZ-IA.

*(Signature)*

*Bellar*

*(Signature)*

2. The Structures standing in Sy.no.63/1-A denoted as A, B, C & Tank (T1 & T2) attached to Structure 'C' on North-East & southern side respectively. The laterite stone masonry compound wall is existing on all sides is permanent in nature. The Legalities of the Same Need to Be Verified.
3. During the course of inspection it was observed that the structures in Sy.no 63/1 and Sy.no.63/1-B are permanent in nature. The licenses and legalities from Local authorities need to be verified.
4. As per the CRZ regulations, no construction is permissible within the NDZ area, except the repair or reconstruction of the old structure existing prior to 1991, with proper permission from GCZMA.
5. The Authority may decide and deliberate in matter.

Place: Arambol-Pernem-Goa

Date: 23/08/2023.

  
Radha Rao  
Expert Member  
GCZMA

  
Miss. Bhargavi Kelkar  
Engineer  
GCZMA

  
Mr. Balkrishna Surlakar  
Field Surveyor  
GCZMA

**Enclosed:-**

1. Site inspection Photographs  
(Annexure I -Photos of structures in Sy.no.63/1-A)  
(Annexure II-Photos of structures in Sy.no.63/1)  
(Annexure III-Photos of structures in Sy.no.63/1-B).
2. Form 1 & 14 of Sy.no.63/1 & Sy.no.63/1-B respectively.
3. DSLR site plan. (Ref.No. FILE NO.19/DSLR/Re-Cell/CRZ-Mapping/23/43).

**Abbreviations:-**

GCZMA-Goa Coastal Zone Management Authority  
NDZ-No Development Zone  
DSLR-Directorate of Settlement and Land records  
L.S.M-Laterite Stone Masonry

**ANNEXURE-I**

PHOTOS OF STRUCTURES IN SY.NO.63/1-A OF ARAMBOL VILLAGE OF  
PERNEM TALUKA

**STRUCTURE 'A'**

OLD STRUCTURE DEPICTED ON DSLR SURVEY PLAN IN  
SY.NO.63/1-A OF ARAMBOL VILLAGE OF PERNEM TALUKA



*[Handwritten signatures in blue ink]*



*no*

*D. Shelkar*

*MS*



**STRUCTURE 'B'**

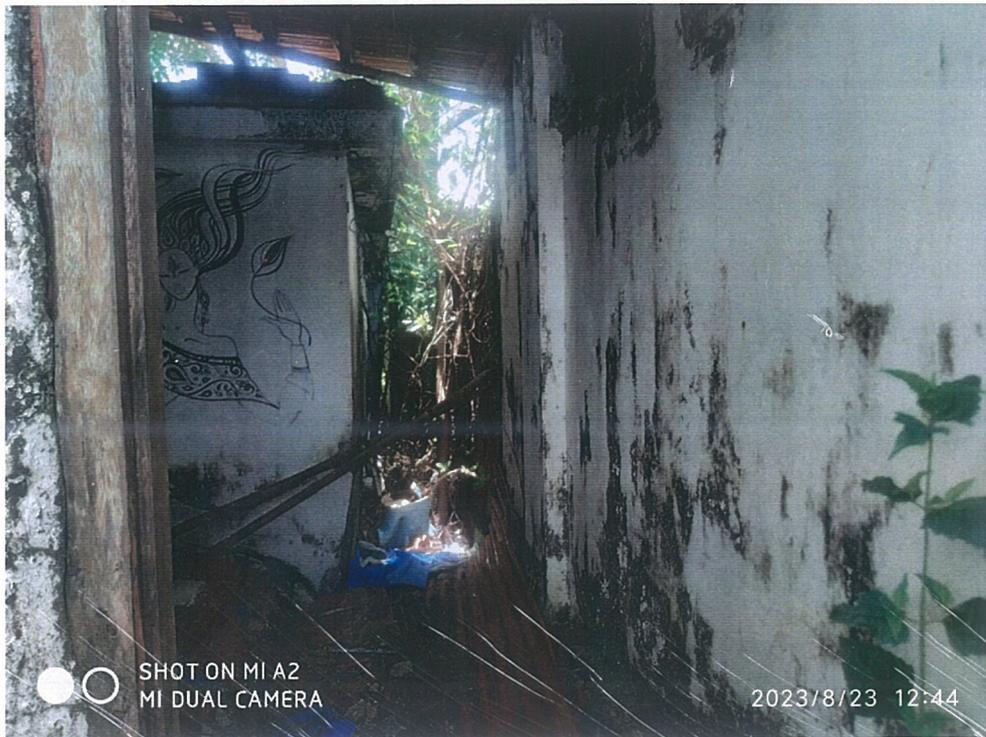
ATTCHED TO STRUCTURE A AND FURTHER ATTCHED TO SOUTHERN SIDE OF BOUNDARY WALL IN SY.NO.63/1-A OF ARAMBOL VILLAGE OF PERNEM TALUKA.



*no*

*Belkar*

*es*



*Handwritten signature in blue ink.*

*Handwritten signature in blue ink.*

*Handwritten signature in blue ink.*

STRUCTURE 'C'

GROUND FLOOR NEW STRUCTURE CONSTRUCTED ON PERMANENT BASE WITH RCC SLAB ROOFING IN SY.NO.63/1-A OF ARAMBOL VILLAGE OF PERNEM TALUKA



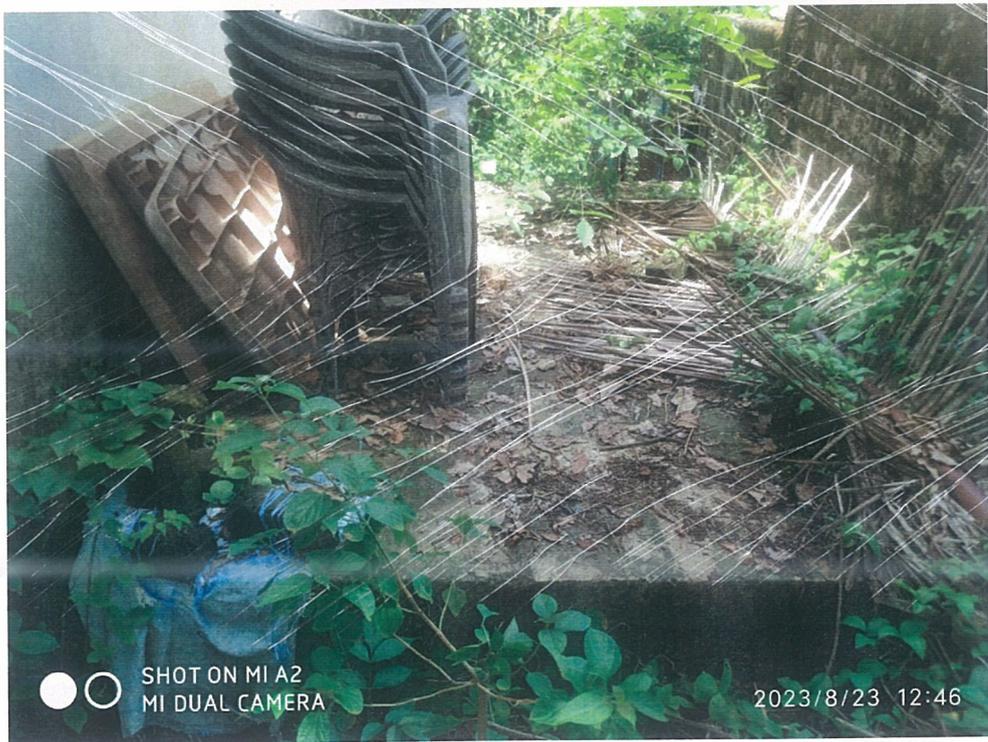
*Handwritten signature in blue ink.*

*Handwritten signature in blue ink.*

*Handwritten signature in blue ink.*



TANK (T1 & T2)



TANK 1 ATTACHED TO STRUCTURE 'B' FROM SOURHERN SIDE

*Handwritten signature in blue ink.*

*Handwritten signature "Belkar" in blue ink.*

*Handwritten signature "ars" in blue ink.*



SHOT ON MI A2  
MI DUAL CAMERA 2023/8/23 12:49

TANK 2 ATTACHED NORTH-EAST SIDE OF STRUCTURE 'C'



SHOT ON MI A2  
MI DUAL CAMERA 2023/8/23 12:44

CIRCULAR WELL ON SOUTH-WEST SIDE OF THE PROPERTY

*Handwritten signatures in blue ink:*  
1. A large, stylized signature on the left.  
2. A signature that appears to be "D. Belbar" in the center.  
3. A signature that appears to be "10/10" on the right.



NORTHERN SIDE BOUNDARY WALL

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*



SOUTHERN SIDE BOUNDARY WALL

*no*

*Belkar*

*10/55*



EASTERN SIDE BOUNDARY WALL WITH APPROX. 1.2m WIDE METAL GATE OPENING FROM SOUTH-EAST SIDE



WESTERN SIDE BOUNDARY WALL WITH ENTRANCE

*Q no*

*Bellkar*

*yes*

31  
ANNEXURE-II

PHOTOS OF STRUCURES IN SY.NO.63/1 OF ARAMBOL VILLAGE  
OF PERNEM TALUKA



(a) G+2 RCC STRUCTURE



(b) SWIMMING POOL

*Handwritten signature in blue ink.*

*Handwritten signature in blue ink.*

*Handwritten signature in blue ink.*



(c) SHED WITH MANGALORE TILE ROOFING



(d) STRUCTURE WITH L.S.M WALL COVERED WITH RCC SLAB

*Handwritten signature in blue ink.*

*Handwritten signature in blue ink.*

*Handwritten signature in blue ink.*



(E) WELL



(f) L.S.M. COMPOUND WALL FROM ALL SIDES

*[Handwritten signature]*

*Belbar*

*[Handwritten signature]*

ANNEXURE-III

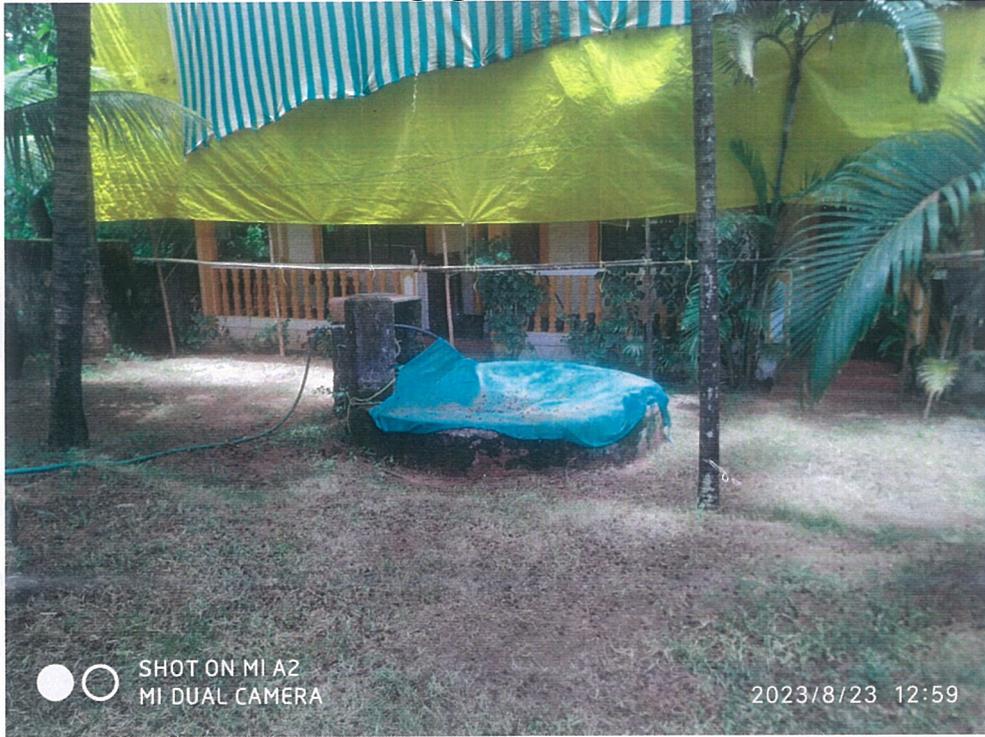
PHOTOS OF STRUCURES IN SY.NO.63/1-B OF ARAMBOL VILLAGE OF PERNEM TALUKA



(a) G+2 RCC STRUCTURE

*P 20*

*Bellar*  
*SR*



(b) WELL



(c) PERMANENT PLINTH/BASE-1

*Q no*

*Belkar*

*com*



(c) PERMANENT PLINTH/BASE-2



(d) L.S.M COMPOUND WALL FROM ALL SIDES

*[Handwritten signature]*

*[Handwritten signature: Belkar]*

*[Handwritten signature]*



## FORM I &amp; XIV

100017744224

Date : 29/08/2023

नमुना नं १ व १४

Page 1 of 2

Taluka PERNEM

Survey No. 63

तालुका

Village Arambol

सर्वे नंबर

Sub Div. No. 1

गांव

हिस्सा नंबर

Name of the Field बागदांडा

Tenure

शेताचें नांव

सत्ता प्रकार

Cultivable Area (Ha.Ars.Sq.Mtrs) लागण क्षेत्र (हे. आर. चौ. मी.)

Dry Crop जिरायत	Garden बागायत	Rice तरी	Khajan खाजन	Ker केर	Morad मोरड	Total Cultivable Area एकूण लागण क्षेत्र
0000.00.00	0000.06.66	0000.00.00	0000.00.00	0000.00.00	0000.00.00	0000.06.66

Un-cultivable Area (Ha.Ars.Sq.Mtrs) नापिक क्षेत्र (हे. आर. चौ. मी.)

Pot-Kharab पोट खराब

Remarks शेरा

Class (a) वर्ग (अ)	Class (b) वर्ग (ब)	Total Un-Cultivable Area एकूण नापिक जामीन	Grand Total एकूण
0000.00.00	0000.00.00	0000.00.00	0000.06.66

Assessment : Rs. 0.00      Foro Rs. 0.00      Predial Rs. 0.00      Rent Rs. 0.00  
आकार      फोर      प्रेदियाल      रेंट

S.No.	Name of the Occupant कब्जेदाराचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	Mathew Rodrigues		20269	
2	Treeza Rodrigues,		20269	
3	Carmin Rodrigues,		20269	
4	Russell Rodrigues ,		20269	
5	Sheryl Rodrigues		20269	
6	Alex Rodrigues		20269	

S.No.	Name of the Tenant कुळाचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	-----Nil-----			

Other Rights इतर हक्क	Mutation No. फेरफार नं	Remarks शेरा
Name of Person holding rights and nature of rights: इतर हक्क धारण करणा-याचे नांव व हक्क प्रकार -----Nil-----		



## FORM I &amp; XIV

100017744224

Date : 29/08/2023

नमुना नं १ व १४

Page 2 of 2

Taluka PERNEM

Survey No. 63

तालुका  
Village Arambolसर्वे नंबर  
Sub Div. No. 1गांव  
Name of the Field बागदांडाहिस्सा नंबर  
Tenure

शेताचें नांव

सत्ता प्रकार

## Details of Cropped Area पिकाखालील क्षेत्राचा तापशील

Year वर्ष	Name of the Cultivator लागण करणा-याचे नांव	Mode रीत	Season मौसम	Name of Crop पिकाचे नांव	Irrigated	Unirrigated	Land not Available for Cultivation नापिक जमीन		Source of irrigation सिंचनाचा प्रारि	Remarks शेरा
					बागायत Ha.Ars.Sq.Mts हे. आर. चौ. मी.	जिरायत Ha.Ars.Sq.Mts हे. आर. चौ. मी.	Nature प्रकार	Area क्षेत्र Ha.Ars.Sq.Mts हे. आर. चौ. मी.		
1985-8 6	आंतोन मिगेल रोड्रीगीज व 2	1		नारळ	0000.19.98	0000.00.00		0000.00.00		200

## End of Report

For any further inquires, please contact the Mamlatdar of the concerned Taluka.

This is for Information Purposes Only



## FORM I &amp; XIV

100017744242

Date : 29/08/2023

नमुना नं १ व १४

Page 1 of 1

Taluka PERNEM

Survey No. 63

तालुका

Village Arambol

सर्वे नंबर

Sub Div. No. 1-B

गांव

हिस्सा नंबर

Name of the Field बागदांडा

Tenure

शेताचे नांव

सत्ता प्रकार

Cultivable Area (Ha.Ars.Sq.Mtrs) लागण क्षेत्र (हे. आर. चौ. मी.)

Dry Crop जिरायत	Garden बागायत	Rice तरी	Khajan खाजन	Ker केर	Morad मोरड	Total Cultivable Area एकूण लागण क्षेत्र
0000.00.00	0000.05.10	0000.00.00	0000.00.00	0000.00.00	0000.00.00	0000.05.10

Un-cultivable Area (Ha.Ars.Sq.Mtrs) नापिक क्षेत्र (हे. आर. चौ. मी.)

Pot-Kharab पोट खराब

Remarks शेरा

Class (a) वर्ग (अ)	Class (b) वर्ग (ब)	Total Un-Cultivable Area एकूण नापिक जामीन	Grand Total एकूण
0000.00.98	0000.00.58	0000.01.56	0000.06.66

Assessment : आकार	Rs. 0.00	Foro फोर	Rs. 0.00	Predial प्रेदियाल	Rs. 0.00	Rent रेंट	Rs. 0.00
----------------------	----------	-------------	----------	----------------------	----------	--------------	----------

S.No.	Name of the Occupant कब्जेदाराचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	CYRIL PHILIP MENDONCA		11225	

S.No.	Name of the Tenant कुळाचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	-----Nil-----			

Other Rights इतर हक्क	Mutation No. फेरफार नं	Remarks शेरा
Name of Person holding rights and nature of rights: इतर हक्क धारण करणा-याचे नांव व हक्क प्रकार -----Nil-----		

## Details of Cropped Area पिकाखालील क्षेत्राचा तापशील

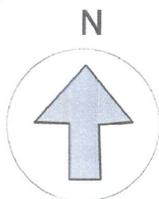
Year वर्ष	Name of the Cultivator लागण करणा-याचे नांव	Mode रीत	Season मौसम	Name of Crop पिकाचे नांव	Irrigated	Unirrigated	Land not Available for Cultivation नापिक जमीन		Source of irrigation सिंचनाचा प्रारि	Remarks शेरा
					Ha.Ars.Sq.Mts हे. आर. चौ. मी.	Ha.Ars.Sq.Mts हे. आर. चौ. मी.	Nature प्रकार	Area क्षेत्र Ha.Ars.Sq.Mts हे. आर. चौ. मी.		
	-----Nil-----									

End of Report

For any further inquires, please contact the Mamlatdar of the concerned Taluka.



GOVERNMENT OF GOA  
 Directorate of Settlement and Land Records  
 PANAJI-GOA



SITE PLAN

As per the notice of site inspection of Member Secretary,Goa Coastal Zone Management Authority vide their letter No.GCZMA/NGT-Matter/O.Appl.No.534/2022/22-23/18/1315 dated 17/08/2023 in respect of S.No./Sub-div 63/1-A of Arambol Village of Pernem Taluka.

Scale :1:1000

NOTE:-

THE LEGALITY / ILLEGALITY OF STRUCTURES SHOWN ON THIS PLAN IS NOT KNOWN AND THEREFORE THIS PLAN SHALL NOT BE USED FOR ANY PURPOSE SUCH AS DEVELOPMENT OF STRUCTURES, REVENUE SURVEY MATTERS, OBTAINING LICENSES, PERMISSIONS, CONVERSION OF LAND, ETC. THIS PLAN SHALL BE USED FOR REFERENCE PURPOSE ONLY.

LEGEND:-

	Structure as per Survey Plan
	Masonry wall as per Survey Plan
	Structure Existing on Ground
	New Structure
	well
	Tank-T1,T2
	Soak-pit
	Gate
	New Compound Wall



LEGENDS	
High Tide Line As per CZMP2011	
200 m line NDZ (CRZ-III)as per CZMP2011	
50 m Mangrove Buffer Zone(CRZ-1A) as per CZMP2011	

Surveyed & Prepared by

RAJESH HARMALKAR (F.S.) O/O DSLR,PANAJI

NATESH ACHARYA (F.S.) O/O DSLR,PANAJI

SEEN

SAMEER KAMBLI  
(H.S.)

Surveyed on :- 23/08/2023

FILE NO.19/DSLR/Re- Cell/CRZ-Mapping/23/15

## GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Science, Technology and Environment (Govt. of Goa)  
4<sup>th</sup> floor, Dempo Tower, Patto, Panaji - Goa-403 521,

[www.czma.goa.gov.in](http://www.czma.goa.gov.in)

Ref.No.GCZMA/N/Sub-Comp/22-23/66 P~~o~~ctI/1678 Dated: 18/09/2023

### SHOW CAUSE NOTICE ISSUED UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986, READ WITH RULE 4 OF THE ENVIRONMENT (PROTECTION) RULES, 1986.

**WHEREAS**, the Goa Coastal Zone Management Authority (hereinafter referred to as 'the GCZMA' in short) has been constituted by the Ministry of Environment & Forests (MoEF), Government of India pursuant to the directions of the Hon'ble Supreme Court of India to deal, inter alia, with violation of the Coastal Regulation Zone (CRZ) Notification 2011 and implementation of the CRZ Notification.

**WHEREAS**, this Office based on the directions of the Hon'ble NGT, and further in connection with the Complaint filed by Kuldeep Rana vs Johny D'Souza, the Expert Member, Engineer and the Surveyor of the GCZMA inspected the site and it has observed various violations of structures standing in Sy No 63/1 B in Arambol Village, Pernem, Goa. And the structure is used for commercial purpose. (*Enclosed Copy of the Site Inspection Report.*)

**AND WHEREAS**, upon receipt of the Site Inspection Report, the following alleged illegal construction resulting in blatant and serious violation of CRZ Notification 2011 is noticed. The details of the violations are indicated here below:-

Sr No	Name of the Party/alleged violator	Survey No. Village	Type of Construction	Distance from HTL
1.	Mr Cyril Philip Mendonca	Survey 63/1 B, Arambol, Pernem Goa	<ul style="list-style-type: none"> <li>• Illegal construction of G+2 structure.</li> <li>• Illegal construction of well (1 no)</li> <li>• Illegal construction of 2 permanent plinth / base.</li> <li>• Compound wall around the property is with L.S.M. wall from all side</li> </ul>	Within NDZ.

**AND WHEREAS**, as per the CRZ Notification, 2011; the entire belt of 100 mts. from the High Tide Line (HTL) of river and 200mts. from the HTL from the sea is designated as the No Development Zone(NDZ) and hence no construction/development whatsoever are permissible in the said belt;

**AND WHEREAS**, the alleged illegal construction is highly detrimental to the Coastal ecosystem / riverine ecosystem. Further it is observed that you have not obtained any prior approval of the GCZMA for the purpose of alleged construction as required under the CRZ Notification 1991/2011.

**AND WHEREAS**, the alleged construction appears to be done in violation of the NOC / approval of GCZMA granted as required under CRZ Notification, 2011 which requires to be inquired into.

**NOW THEREFORE**, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 read with sub-rule (3) (a) of rule 4 of the Environment (Protection) Rules, 1986, delegated to the GCZMA, the GCZMA hereby directs you to **SHOW CAUSE** as to why a direction to demolish the structures and to restore the land to its original condition should not be issued to you. Further, you are directed to ensure that no civil work of whatsoever kind and nature is carried out at said site.

**FURTHER TAKE NOTE THAT**, you are required to file your reply along with compliance report and produce construction/reconstruction/repair licence/approvals, if any, issued by the concerned Authorities including GCZMA along with approved plan, as also documents to show the title to the Office of the GCZMA, having its Office at the 4<sup>th</sup> Floor, Conference Hall, Dempo Towers, Panaji- Goa, on or before **28/09/2023 and remain present for a personal hearing on the 28/09/2023 at 3.30p.m at the 4<sup>th</sup> Floor, Conference Hall, Dempo Towers, Panaji- Goa.** Take note that if you fail to submit your reply along with the required documents, the GCZMA will come to the conclusion that you have no justification to carry out its activities as above stated and the Authority shall proceed to issue final directions to you in this regard without any further notice which inter alia includes order of demolition of structures, disconnection of water / power supply etc.

*Autte*  
Dr Sneha S Gitte (IAS)  
Member Secretary (GCZMA)

*o/c*

**Encl: As above**

**To,**

1. Mr Cyril Philip Mendonca, r/o Girkarwada, Arambol Pernem.

2. The Secretary, Village Panchayat of Arambol, .....with a direction to serve this copy of the Show Cause Notice cum personal hearing and submit a compliance report to this Authority.

**Copy to:**

1. **The Collector & District Magistrate (North), Office of the Collector (North), Collectorate Building, Panaji-Goa... for information and necessary action.**
2. **The Dy.Collector & SDO of Pernem, Goa..... For information**
3. **The Secretary, Village Panchayat of Arambol, Bardez-Goa.....who is required to initiate action under the Goa Panchayat Raj Act, 1994.**
4. **Mr Kuldeep Rana, C/o 454, Ashvim Village, Mandrem, Pernem Goa.**
5. **Mr Johny D'Souza, r/o 48, Girkar Waddo, Arambol, Pernem Goa.**

## GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Science, Technology and Environment (Govt. of Goa)  
4<sup>th</sup> floor, Dempo Tower, Patto, Panaji - Goa-403 521,

[www.czma.goa.gov.in](http://www.czma.goa.gov.in)

Ref.No.GCZMA/N | ILL-CompL/22-23/66/part II/1679 Dated: 18/09/2023

### SHOW CAUSE NOTICE ISSUED UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986, READ WITH RULE 4 OF THE ENVIRONMENT (PROTECTION) RULES, 1986.

**WHEREAS**, the Goa Coastal Zone Management Authority (hereinafter referred to as 'the GCZMA' in short) has been constituted by the Ministry of Environment & Forests (MoEF), Government of India pursuant to the directions of the Hon'ble Supreme Court of India to deal, inter alia, with violation of the Coastal Regulation Zone (CRZ) Notification 2011 and implementation of the CRZ Notification.

**WHEREAS**, this Office based on the directions of the Hon'ble NGT, and further in connection with the Complaint filed by Kuldeep Rana vs Johny D'Souza, the Expert Member, Engineer and the Surveyor of the GCZMA inspected the site and it has observed various violations of structures standing in Sy No 63/1 in Arambol Village, Pernem, Goa. And the structure is used for commercial purpose. (*Enclosed Copy of the Site Inspection Report.*)

**AND WHEREAS**, upon receipt of the Site Inspection Report, the following alleged illegal construction resulting in blatant and serious violation of CRZ Notification 2011 is noticed. The details of the violations are indicated here below:-

Sr No	Name of the Party/alleged violator	Survey No. Village	Type of Construction	Distance from HTL
1.	Mr Mathew Rodrigues <sup>d</sup>	Survey 63/1, Arambol, Pernem Goa	• Illegal construction of G+2 structure.	Within NDZ.
2.	Treeza Rodrigues		• Illegal construction of swimming pool	
3.	Carmin Rodrigues <sup>d</sup>		• Illegal construction of shed with mangalore tile roofing	
4.	Russell Rodrigues		• Structure with L.S.M wall covered with RCC slab	
5.	Sheryl Rodrigues		• Compound wall around the property is with L.S.M. wall from all side	
6.	Alex Rodrigues			

**AND WHEREAS**, as per the CRZ Notification, 2011; the entire belt of 100 mts. from the High Tide Line (HTL) of river and 200mts. from the HTL from the sea is designated as the No Development Zone(NDZ) and hence no construction/development whatsoever are permissible in the said belt;

**AND WHEREAS**, the alleged illegal construction is highly detrimental to the Coastal ecosystem / riverine ecosystem. Further it is observed that you have not obtained any prior approval of the GCZMA for the purpose of alleged construction as required under the CRZ Notification 1991/2011.

**AND WHEREAS**, the alleged construction appears to be done in violation of the NOC / approval of GCZMA granted as required under CRZ Notification, 2011 which requires to be inquired into.

**NOW THEREFORE**, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 read with sub-rule (3) (a) of rule 4 of the Environment (Protection) Rules, 1986, delegated to the GCZMA, the GCZMA hereby directs you to **SHOW CAUSE** as to why a direction to demolish the structures and to restore the land to its original condition should not be issued to you. Further, you are directed to ensure that no civil work of whatsoever kind and nature is carried out at said site.

**FURTHER TAKE NOTE THAT**, you are required to file your reply on alongwith compliance report and produce construction/reconstruction/repair licence/approvals, if any, issued by the concerned Authorities including GCZMA along with approved plan, as also documents to show the title to the Office of the GCZMA, having its Office at the 4<sup>th</sup> Floor, Conference Hall, Dempo Towers, Panaji- Goa, on or before **28/09/2023 and remain present for a personal hearing on the 28/09/2023 at 3.30p.m at the 4<sup>th</sup> Floor, Conference Hall, Dempo Towers, Panaji- Goa.** Take note that if you fail to submit your reply along with the required documents, the GCZMA will come to the conclusion that you have no justification to carry out its activities as above stated and the Authority shall proceed to issue final directions to you in this regard without any further notice which inter alia includes order of demolition of structures, disconnection of water / power supply etc.

  
Dr Sneha S Gitte (IAS)  
Member Secretary (GCZMA)

o/c

**Encl: As above**

**To,**

1. Mr Mathew Rodrigues
2. Treeza Rodrigues
3. Carmin Rodrigues
4. Russell Rodrigues
5. Sheryl Rodrigues
6. Alex Rodrigues r/o Girkar wada, Arambol Pernem.

7. The Secretary, Village Panchayat of Arambol, .....with a direction to serve this copy of the Show Cause Notice cum personal hearing and submit a compliance report to this Authority.

**Copy to:**

1. **The Collector & District Magistrate (North), Office of the Collector (North),  
Collectorate Building, Panaji-Goa... for information and necessary action.**
2. **The Dy.Collector & SDO of Pernem, Goa..... *For information***
3. **The Secretary, Village Panchayat of Arambol, ~~Pernem~~-Goa.....who is  
required to initiate action under the Goa Panchayat Raj Act, 1994.**
4. **Mr Kuldeep Rana, C/o 454, Ashvim Village, Mandrem, Pernem Goa.**
5. **Mr Johnny D'Souza, r/o 48, Girkar Waddo, Arambol, Pernem Goa.**

## GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Science, Technology and Environment (Govt. of Goa)  
4<sup>th</sup> floor, Dempo Towers, Patto, Panaji Goa

[www.czma.goa.gov.in](http://www.czma.goa.gov.in)

Ref.No.GCZMA/N | DLE-CompL | 22-23/66/745

Dated: 06/07/2022

### SHOW CAUSE NOTICE CUM STOP WORK ORDER IS ISSUED UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986, READ WITH RULE 4 OF THE ENVIRONMENT (PROTECTION) RULES, 1986.

WHEREAS, the Goa Coastal Zone Management Authority (hereinafter referred to as 'the GCZMA' in short) has been constituted by the Ministry of Environment & Forests (MoEF), Government of India pursuant to the directions of the Hon'ble Supreme Court of India to deal, inter alia, with violation of the Coastal Regulation Zone (CRZ) Notification 2011 and implementation of the CRZ Notification.

WHEREAS, the Office of the Goa Coastal Zone Management Authority (hereinafter referred to as 'the GCZMA' in short) had received a complaint from Kuldeep Rana, wherein it has been submitted Mr. Johnny S. D'Souza is illegally carrying out the R.C.C. construction of Guest house / Hotel for commercial purpose in the property bearing survey no 63/1A, Girkarwado Arambol Goa; within 30 mts from HTL. (*Enclosed Copy of the complaint*)

AND WHEREAS, upon receipt of the Complaint, the following alleged illegal construction resulting in blatant and serious violation of CRZ Notification 2011 is noticed. The details of the violations are indicated here below:-

Sr No	Name of the Party/alleged violator	Survey No. Village	Type of Construction	Distance from HTL
1.	Mr Johnny S.D'Souza	63/1A, Girkarwado Arambol	Illegally carrying out R.C.C construction of guest house / Hotel (2 storey) for commercial purpose, having an area of 450m <sup>2</sup>	within 30 mts from HTL

AND WHEREAS, as per the CRZ Notification, 2011; the entire belt of 100 mts. from the High Tide Line (HTL) of river and 200mts. from the HTL from the sea is designated as the No Development Zone(NDZ) and hence no construction/development whatsoever are permissible in the said belt;

AND WHEREAS, the alleged illegal construction is highly detrimental to the Coastal ecosystem / riverine ecosystem. Further it is observed that you have not obtained any prior approval of the GCZMA for the purpose of alleged construction as required under the CRZ Notification 1991/2011.

**NOW THEREFORE**, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 read with sub-rule (3) (a) of rule 4 of the Environment (Protection) Rules, 1986, delegated to the GCZMA, the GCZMA hereby directs you to **STOP WORK** with immediate effect and **SHOW CAUSE** as to why a direction to demolish the structures and to restore the land to its original condition should not be issued to you. Further, you are directed to ensure that no civil work of whatsoever kind and nature is carried out at said site.

**FURTHER TAKE NOTE THAT**, you are required to file your reply on alongwith compliance report and produce construction/reconstruction/repair licence/approvals, if any, issued by the concerned Authorities including GCZMA along with approved plan, as also documents to show the title to the Office of the GCZMA, having its Office at 04<sup>th</sup> Floor, Dempo Towers, Patto, Panaji-Goa on or before **15/07/2022 and remain present for hearing on 21/07/2022 at the Conference hall, 4<sup>th</sup> floor Dempo Towers, Patto, Panaji Goa.** Take note that if you fail to submit your reply along with the required documents, the GCZMA will come to the conclusion that you have no justification to carry out its activities as above stated and the Authority shall proceed to issue final directions to you in this regard without any further notice which inter alia includes order of demolition of structures, disconnection of water / power supply etc.

  
 (Dasharath M. Redkar)  
 Member Secretary (GCZMA)

**Encl: As above**

To,

✓ 1) **MR JOHNNY S.D'SOUZA**, resident of House No. 48, Girkarwada, Arambol-Goa.

**Copy to:**

1. **The Collector & District Magistrate (North), Office of the Collector (North), Collectorate Building, Panaji-Goa...** for information and necessary action.
2. **The Dy.Collector & SDO of Pernem, Goa.....** who is required to enforce these directions and ensure that no work is carried out at site, other than in accordance with law.
3. **The Secretary, Village Panchayat of Mandrem, Pernem-Goa.....** who is required to serve the Notice and enforce these directions and ensure that no work is carried out at site and also initiate action under the Goa Panchayat Raj Act, 1994 and to report the compliance to the GCZMA.
4. **MR KULDEEP RANA**, resident of House No. P-59, South Extension Part-II, New delhi-110049.